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17 *Ultimate Fighting Championship and UFC*

18
19 **UNITED STATES DISTRICT COURT**

20 **DISTRICT OF NEVADA**

21 Cung Le, Nathan Quarry, Jon Fitch, Brandon
22 Vera, Luis Javier Vazquez, and Kyle
23 Kingsbury on behalf of themselves and all
others similarly situated,

24 Plaintiffs,

25 v.

26 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

27 Defendant.
28

Case No.: 2:15-cv-01045-RFB-BNW

**ZUFFA, LLC'S MOTION TO SEAL ECF
NO. 696-4**

1 Pursuant to Rule 26(e) of the Federal Rules of Civil Procedure, Local Rule 10-5(b) and
2 Section 14.3 of the Revised Stipulation and Protective Order issued by this Court on February 10,
3 2016 (ECF No. 217) (“Protective Order”), Zuffa, LLC (“Zuffa”) hereby moves this Court for leave
4 to lodge Exhibit B to the Declaration of Jonathan M. Shaw In Support of Zuffa’s Reply in Support
5 of its Motion to Seal Exhibits and Protected Materials at the Evidentiary Hearing on Class
6 Certification (“Shaw Declaration”) (ECF No. 696-4) under seal.

7 The original exhibit filed at ECF No. 696-4 is a redacted public version of an expert report,
8 the original version of which was filed under seal. The redacted version contains an error that
9 disclosed information that has been designated as “HIGHLY CONFIDENTIAL–ATTORNEYS’
10 EYES ONLY” by a third party pursuant to the Protective Order.¹

11 Along with this motion, Zuffa filed a Notice of Corrected Image/Document that attached a
12 corrected version of Exhibit B to the Shaw Declaration which cures the deficiency in the original
13 public version and allows the public access to all non-confidential portions of the exhibit. The
14 justification for the sealing of this exhibit is set forth fully in Zuffa’s Motion to Seal Exhibits and
15 Protected Materials at the Evidentiary Hearing on Class Certification (ECF No. 665).

16 Zuffa now asks the Court to seal the earlier version of the exhibit (ECF No. 696-4) in order
17 to protect the confidential information and to replace that version with the attached Exhibit B.

18 DATED this fifteenth day of July, 2019.
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24 ¹ The provision to permit “Highly Confidential – Attorneys’ Eyes Only” designations for third
25 parties was included specifically to address concerns raised by third parties regarding access to their
26 materials produced in response to subpoenas. ECF No. 211, Dec. 8, 2015 Hearing Tr. 53:1-14;
27 ECF No. 216, January 26, 2016 Hearing Tr. 71:4-20 (Magistrate Judge Leen stating that the parties
28 “have agreed” to add a “Highly Confidential” designation under the Protective Order “to
accommodate the concerns of nonparty witnesses” from whom the parties are requesting
discovery).

1 Dated: July 15, 2019

Respectfully Submitted,

2 BOIES SCHILLER FLEXNER LLP

3 By: /s/ Jonathan M. Shaw

4 Jonathan M. Shaw

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing Defendant Zuffa, LLC's Motion to Seal ECF No. 696-4 was served on July 15, 2019 via the Court's CM/ECF electronic filing system addressed to all parties on the e-service list.

/s/ Roderick J. Crawford

Roderick J. Crawford, an Employee of
Boies Schiller Flexner LLP